

## **SUMMARY**

### **III. UNIFORM PRACTICES OF PROBATE COURTS OF MASSACHUSETTS**

#### **Practice VIII – Uniform Fees**

*The subcommittee recommends amending Uniform Practice VIII*

The Practice is amended to reflect the repeal of Probate Court Rule 25.

#### **Practice XV – Probate Accounts**

*The subcommittee recommends repealing Uniform Practice XV*

Uniform Practice XV is repealed in light of revised Probate Court Rule 29A. See also Probate Court Rule 29A.

#### **Practice XVI – Allowance of Probate Accounts Pursuant to Rule 72 of the Massachusetts Rules of Civil Procedure**

*The subcommittee recommends repealing Uniform Practice XVI*

Uniform Practice XVI was repealed in light of the adoption of Probate Court Rule \_\_\_\_, Probate Accounts

#### **Practice XVIB – Power of Appointment – Waiver of Guardian Ad Litem**

*The subcommittee recommends repealing Uniform Practice XVIB*

The repeal of Uniform Practice XVIB is necessitated by the repeal of G.L. c.206, §24, which formed the basis for the uniform practice. See also G.L. c. 190B, §§1-403 and 1-404.

#### **Practice XVII – Accounts- Time for Allowance**

*The subcommittee recommends amending Uniform Practice XVII*

Practice updated to reflect terminology changes introduced by G.L. c. 190B.

#### **Practice XXV – Probate of Will-Military Affidavits**

*The subcommittee recommends amending Uniform Practice XXV*

The Practice is amended to apply generally to all matters in the Probate and Family Court.

### **Practice XXVI – Probate of Will – Incompetent Heir**

*The subcommittee recommends repealing Uniform Practice XXVI*

The repeal of Uniform Practice XXVI is necessitated by the enactment of G.L. c. 190B, §1-404(d), which mandates the appointment of a guardian ad litem in certain proceedings.

### **Practice XXIX – Special Administrators- Limitation on Appointments**

*The subcommittee recommends repealing Uniform Practice XXIX*

The repeal of Uniform Practice XXIX is necessitated by the enactment of G.L. c. 190B, §3-617 which governs the procedure.

### **Practice XXXIV – Charitable Interests**

*The subcommittee recommends amending Uniform Practice XXXIV*

The Practice is amended as a result of the enactment of the Massachusetts Uniform Probate Code, G.L. c. 190B.